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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,897	12/21/2000	Yoshihiro Satoh	JA999745	2636

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EXAMINER

MAHMOUDI, HASSAN

ART UNIT

PAPER NUMBER

2175

DATE MAILED: 07/06/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,897

Applicant(s)

SATOH, YOSHIHIRO

Examiner

Tony Mahmoudi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DOV POPOVICI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

Remarks

1. In view of the Appeal Brief filed on 12-April-2004, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Claims 1-9 are presently pending in the application.
3. The drawing correction filed on 17-September-2003 is approved by the examiner.

Specification

4. The specification is objected to because the arrangement of the disclosed application does not conform with 37 CFR 1.77(b).

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Section headings appear **boldfaced** and in lowercase format throughout the disclosed specification. Section headings should not be **boldfaced** and should appear in UPPERCASE format. Appropriate corrections are required according to the guidelines provided below:

5. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bapat et al (U.S. patent No. 6,236,996) in view of Franco et al (U.S. patent No. 6,687,745.)

As to claim 1, Bapat et al teaches a computer system for controlling access to data to be used in common by multiple users (see Abstract, see column 1, lines 27-30, and see column 32, lines 35-42), comprising:

data storage for storing the data in common (see column 7, lines 37-38, and see column 32, lines 37-40);

an access management table including access management data to control an access right to the data in common (see column 3, lines 31-41, where "access management table" is read on "permission table"); and

control means (see column 3, lines 15-17) for automatically updating the access management data (see column 18, lines 36-40) in the access management table (see column 4, lines 53-54, and see column 8, lines 35-40), concurrent with and in response to transmitting a communication (see column 15, line 67 through column 16, line 7, where "concurrent with" is read on "virtually simultaneously", and "transmitting communication" is read on "receiving any event notification", and see column 16, lines 55-61), wherein the user

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is granted the access right to the data pursuant to the automatic updating of the access management data responsive to the transmitting of the communication (see column 13, lines 17-30.)

Bapat et al does not teach a first user and a second user; and transmitting a communication, in which reference information to the data in common are included, from a first user who is authorized to grant an access right to the data to a second user.

Franco et al teaches a method and system for selectively establish communications between users (see Abstract), in which he teaches a first user (see column 21, line 59) and a second user (see column 21, line 63); and transmitting a communication (see column 22, lines 4-5, where “transmitting a communication” is read on “transfer the photo album application”), in which reference information to the data in common are included (see column 22, lines 6-9, where “reference information to the data in common” is read on “link” and “GUID field”, specifically “GUID1”), from a first user (see column 22, line 4) who is authorized to grant an access right to the data to a second user (see column 22, lines 11-14, where “second user” is read on “third user”).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bapat et al to include a first user and a second user; and transmitting a communication, in which reference information to the data in common are included, from a first user who is authorized to grant an access right to the data to a second user.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bapat et al by the teachings of Franco et al, because

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including a first user and a second user; and transmitting a communication, in which reference information to the data in common are included, from a first user who is authorized to grant an access right to the data to a second user, would enable one user to share his data with a selected second user by providing the selected second user with access authorization and a references to the data to be accessed, while preventing other users from accessing the same. In Franco et al, an example is provided where the first user creates a photo album and sends the reference of the album to another user (third user), which grants the third user access to view the photos while preventing other users (second user) from viewing the same (see Franco et al, column 22, lines 11-14.)

As to claim 2, Bapat et al as modified teaches wherein the access management data in the access management table (see Bapat et al, column 3, lines 31-41, where “access management table” is read on “permission table”) includes identification information for data to be accessed (see Bapat et al, column 3, lines 26-30, where “identification information for data to be accessed” is read on “management information for corresponding managed objects”), identification information for the second user to whom the access right to the data has been granted (see Franco et al, column 21, line 57 through column 22, line 14), and access level information (see Bapat et al, column 12, line 58 through column 13, line 3, and see Franco et al, column 17, line 65 through column 18, line 2, and see column 28, lines 12-23.)

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As to claim 3, Bapat et al as modified teaches wherein the access management data in the access management table (see Bapat et al, column 3, lines 31-41, where “access management table” is read on “permission table”) includes identification information for the first user who grants the access right to the second user (see Franco et al, column 22, lines 34-44, where it is taught that “an email message” can be used to transmit the link to the information from the first user to another user. It is inherent that an email message includes identification information of the sender of the email message, also see column 24, line 61 through column 25, line 38.)

As to claim 4, Bapat et al as modified teaches wherein the control means (see Bapat et al, column 3, lines 15-17) automatically updates the access management data (see Bapat et al, column 18, lines 36-40) in response to a command (see Bapat et al, column 18, lines 1-9) that is automatically issued during the transmitting of the communication (see Bapat et al, column 15, line 67 through column 16, line 7, where “transmitting of the communication” is read on “receiving any event notification”, and see column 16, lines 55-61, also see Franco et al, column 22, lines 4-14.)

As to claim 5, Bapat et al as modified teaches the computer system further comprising: a plurality of user terminals for communicating with the computer system (see Bapat et al, column 16, lines 58-61, where “plurality of user terminals” is read on “user workstations 300”, also see Franco et al, column 5, line 65 through column 6, line 3.)

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As to claims 6 and 7, Bapat et al as modified teaches wherein the control means automatically updates the access management data (see Bapat et al, column 18, lines 36-40) in response to a command that 's automatically issued during the transmitting of the communication (see Bapat et al, column 15, line 67 through column 16, line 7, where “transmitting of the communication” is read on “receiving any event notification”, and see column 16, lines 55-61, also see Franco et al, column 21, line 57 through column 22, line 14, where the third user is granted access via the reference information “GUID1”, automatically, and as soon as the message is communicated to the third user.)

As to claim 8, Bapat et al teaches a communication system (see Abstract, and see column 7, lines 39-41.) For the remaining steps of this claim, the applicant is kindly directed to the remarks and discussions made in claims 1 and 5 above.

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bapat et al (U.S. patent No. 6,236,996) in view of Franco et al (U.S. patent No. 6,687,745), as applied to claims 1-8 above, and further in view of Celik (U.S. Patent No. 6,374,259.)

As to claim 9, Bapat et al as modified teaches access management table (see Bapat et al, column 3, lines 31-41, where “access management table” is read on “permission table”.)

Bapat et al as modified still does not teach wherein the access management table resides on a server external to the first user and the second user.

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Celik teaches storage and retrieval of business contact information (see Abstract), in which he teaches wherein the access management table resides on a server external to the first user and the second user (see figure 2B, where “access management table” resides on “Web Database 18”, which is external to “user 1 PC 12” and also external to user 2 PC 14”.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bapat et al as modified to include wherein the access management table resides on a server external to the first user and the second user.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bapat et al as modified, with the teaching of Celik, because the access management table residing on a server external to the first user and the second user, would result in the access control/management means to run independently from any users’ computer, which would result in a more efficient distributed access control system, in which users can provide access authorization to one another, and in which any user’s access could be revoked by the access management system (residing in an external system) without dependencies of the access management system on any one user’s computer.

Response to Arguments

9. Applicant's arguments filed on 12-April-2004 with respect to the rejected claims in view of the cited references have been fully considered but they are moot in view of the new grounds of rejection.

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Conclusion

10. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

tm

June 18, 2004


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